



UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Akihiro TERAMACHI**

Group Art Unit: **3623**

Serial No.: **09/871,605**

Examiner: **Peter H. Choi**

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For: **OPEN RESEARCH AND DEVELOPMENT METHOD AND SYSTEM**

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SUBMISSION UNDER 37 C.F.R. § 1.114

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

March 28, 2006

Sir:

Applicant's Request for Continued Examination (RCE), filed concurrently with the present submission, effects entry of the amendment filed February 28, 2006 and consideration of the remarks accompanying the amendments.

Claims 1-4, 6-10, and 12 stand rejected under 35 U.S.C. § 102(e) as anticipated by Eisenhart, U.S. Patent Application Publication No. 2001-0047276. Applicant respectfully submits that the rejection should be withdrawn.

The rejection relies on the Eisenhart disclosure in paragraph [0014] of a member completing a need profile (to find another member) to teach "selecting" members as claimed. (See Final Office Action, page 4.) However, the action of indicating a need is not the same action as selecting members to fulfill that need. Thus, the cited disclosure cannot serve as a basis for anticipating the "selecting ..." element of the claims.

The rejection also relies on the disclosure in paragraph [0014] of a member requesting direct contact with a business partner (another member) to teach "requesting the selected